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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/220,830	12/24/1998	ROBERT W. SISSON	E-826	5561

919 7590 05/28/2003

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EXAMINER

DIXON, THOMAS A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 05/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/220,830

Applicant(s)

SISSON ET AL.

Examin r

Thomas A. Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The rejections and objections of the previous action are withdrawn in view of applicant's amendments and arguments.
2. Applicant's arguments that Eddy et al does not disclose the creation and sending of a card are convincing. Rejections including the old and well known use of a printed card are below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 5, 8, 9 are rejected under 35 U.S.C. 103(a) as being anticipated by Eddy et al (5,812,400) in view of Taylor (4,812,965).

As per claim 1, 8, 9.
Eddy et al ('400) discloses:
generating a code at a data center, the code being associated with the postage metering system, see column 17, lines 32 – 40,
retrieving the code from the challenge card and entering the code into the postage metering system subsequent to the receipt of the code at the specific location, see column 17, line 36,
communicating the code retrieved to the data center, see column 3, lines 16-52,
comparing the code received at the data center from the postage metering system to the code generated at the data center to verify that the postage metering system is physically located at the specific location, see column 3, lines 16-52.
Taylor ('302) teaches post card inspection:
creating a challenge card, see figure 2 and column 3, lines 16-52,
sending the challenge card via a carrier service to the specific location, see column 3, lines 16-52 for the benefit of cost savings as compared to sending an inspector to the meter.

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Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to create and send a challenge card for inspection for the benefit of cost savings as compared to sending an inspector to the meter.

As per claim 5.

Eddy et al ('400) does not disclose the card is a printed card.

Taylor ('302) teaches a printed post card for inspection, see figure 2 and column 3, lines 16-52,

5. Claims 2-4, 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eddy et al (5,812,400) in view of Taylor (GB 2 213 302) further in view of Dolan et al (5,731,980).

As per claim 2.

Eddy et al ('400) discloses all the limitations of claim 1.

Eddy et al ('400) further discloses the transfer of packed postal codes, see column 18, lines 1-17, and internal and external smart card use, see figure 1 (10, 8, 26).

Eddy et al ('400) does not explicitly disclose the codes are cryptographically secured.

Dolan et al ('980) teaches cryptographic communication between a host and a postage meter, see column 10, lines 6-29, and inspection cards, see column 14, lines 16-30 for the benefit of increased security in a postal metering system.

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to cryptographically secure the codes of Eddy et al ('400) within the cryptographic communication taught by Dolan et al ('980) for the benefit of increased security in a postal metering system.

As per claim 3.

2. Eddy et al ('400) in view of Dolan et al ('980) discloses all the limitations of claim 2.

Eddy et al ('400) further discloses the transfer of packed postal codes, see column 18, lines 1-17, and internal and external smart card use, see figure 1 (10, 8, 26).

Eddy et al ('400) does not explicitly disclose the code is cryptographically secured using secret key cryptography.

Dolan et al ('980) teaches multiple types of cryptography in use with postal metering systems, see column 14, line 60 – Column 15, line 33, including digital tokens, RSA and Digital Signatures which use DES encryption, any of which are seen as equivalents to the recited secret key encryption, for the benefit of increased security in a postal metering system.

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to cryptographically secure the codes of Eddy et al ('400) with

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secret key cryptography or any of the cryptographic methods taught by Dolan et al ('980) for the benefit of increased security in a postal metering system.

As per claim 4.

Eddy et al ('400) in view of Dolan et al ('980) discloses all the limitations of claim 3.

Eddy et al ('400) further discloses the transfer of packed postal codes, see column 18, lines 1-17, and internal and external smart card use, see figure 1 (10, 8, 26).

Eddy et al ('400) does not explicitly disclose the code received from the card is decrypted to verify its authenticity.

Dolan et al ('980) teaches authenticating digital tokens and multiple types of cryptography in use with postal metering systems, see column 14, line 60 – Column 15, line 33, including digital tokens, RSA and Digital Signatures which use DES encryption, for the benefit of increased security in a postal metering system.

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify the system of Eddy et al ('400) to decrypt the cryptographically secure codes as taught by Dolan et al ('980) for the benefit of increased security in a postal metering system.

As per claim 6.

Eddy et al ('400) discloses all the limitations of claim 1.

Eddy et al ('400) further discloses the transfer of inspection data at refills or zero amount refills, see column 18, lines 58-65, and internal and external smart card use, see figure 1 (10, 8, 26).

Eddy et al ('400) does not explicitly disclose the card is a smart card.

Dolan et al ('980) teaches internal and external smart cards used in postage meters for refilling, see column 9, line 65 – Column 10, line 29 for the benefit of entering data into and retrieving data from a postage metering system.

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify the invention of Eddy et al ('400) to use the external smart cards taught by Dolan et al ('980) for the benefit of increased user convenience.

As per claim 7.

Eddy et al ('400) in view of Dolan et al ('980) discloses all the limitations of claim 6.

Eddy et al ('400) does not explicitly disclose the code is electronically entered from the card.

Dolan et al ('980) teaches internal and external smart cards used in postage meters and communication between the cards and the meters, see column 9, line 65 – Column 10, line 29 for the benefit of entering data into and retrieving data from a postage metering system.

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify the invention of Eddy et al ('400) to communicate the

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code electronically from the external smart cards taught by Dolan et al ('980) for the benefit of increased user convenience in not having to enter the code manually.

Prior Art made of Record

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

GB 2 213 302 to Taylor is seen to be the closest foreign art that teaches post card validation of a postal meter.

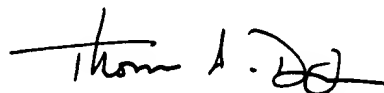
Pitney Bowes... is the closest non-patent literature which discloses efforts to limit postal fraud.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (703) 305-4645. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Thomas A. Dixon
Examiner
Art Unit 3629

May 20, 2003